

JS 44 (Rev. 11/04)

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 2002, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

LOUIS EDWARD LUTZ, Jr. 7805 LAVER CT.  
FORT WORTH, TX 76112

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

GARAUFIS, J.

BLOOM M.J.

(c) Attorney's (Firm Name, Address, and Telephone Number)

PRO SE: SEE ABOVE

## DEFENDANTS

THE PRESIDENT of the UNITED STATES of AMERICA  
KELLOGG BROWN & ROOT., Inc.

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES USE THE LOCATION OF THE  
LAND INVOLVED IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

Attorneys (If Known)

★ AUG 06 2007 ★

## II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff☐ 3 Federal Question  
(U.S. Government Not a Party)☒ 2 U.S. Government Defendant☐ 4 Diversity

(Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

Citizen of This State

PTF DEF  
☐ 1 ☐ 1Incorporated or Principal Place  
of Business in This StatePTF DEF  
☐ 4 ☐ 4

Citizen of Another State

☐ 2 ☐ 2Incorporated and Principal Place  
of Business in Another State☐ 5 ☐ 5Citizen or Subject of a  
Foreign Country☐ 3 ☐ 3

Foreign Nation

☐ 6 ☐ 6

## IV. NATURE OF SUIT

(Place an "X" in One Box Only)

## CONTRACT

- ☐ 110 Insurance  
☐ 120 Marine  
☐ 130 Miller Act  
☐ 140 Negotiable Instrument  
☐ 150 Recovery of Overpayment  
& Enforcement of Judgment  
☐ 151 Medicare Act  
☐ 152 Recovery of Defaulted  
Student Loans  
(Excl. Veterans)  
☐ 153 Recovery of Overpayment  
of Veteran's Benefits  
☐ 160 Stockholders' Suits  
☐ 190 Other Contract  
☐ 195 Contract Product Liability  
☐ 196 Franchise

## REAL PROPERTY

- ☐ 210 Land Condemnation  
☐ 220 Foreclosure  
☐ 230 Rent Lease & Ejectment  
☐ 240 Torts to Land  
☐ 245 Tort Product Liability  
☐ 290 All Other Real Property

## TORTS

## PERSONAL INJURY

- ☐ 310 Airplane  
☐ 315 Airplane Product  
Liability  
☐ 320 Assault, Libel &  
Slander  
☐ 330 Federal Employers'  
Liability  
☐ 340 Marine  
☐ 345 Marine Product  
Liability  
☐ 350 Motor Vehicle  
☐ 355 Motor Vehicle  
Product Liability  
☐ 360 Other Personal  
Injury

## PERSONAL INJURY

- ☐ 362 Personal Injury -  
Med. Malpractice  
☐ 365 Personal Injury -  
Product Liability  
☐ 368 Asbestos Personal  
Injury Product  
Liability

## PERSONAL PROPERTY

- ☐ 370 Other Fraud  
☐ 371 Truth in Lending  
☐ 380 Other Personal  
Property Damage  
☐ 385 Property Damage  
Product Liability

## PRISONER PETITIONS

- ☐ 510 Motions to Vacate  
Sentence  
**Habeas Corpus:**  
☐ 530 General  
☐ 535 Death Penalty  
☐ 540 Mandamus & Other  
☐ 550 Civil Rights  
☐ 555 Prison Condition

## FORFEITURE/PENALTY

- ☐ 610 Agriculture  
☐ 620 Other Food & Drug  
☐ 625 Drug Related Seizure  
of Property 21 USC 881  
☐ 630 Liquor Laws  
☐ 640 R.R. & Truck  
☐ 650 Airline Regs.  
☐ 660 Occupational  
Safety/Health  
☐ 690 Other

## LABOR

- ☐ 710 Fair Labor Standards  
Act  
☐ 720 Labor/Mgmt. Relations  
☐ 730 Labor/Mgmt. Reporting  
& Disclosure Act  
☐ 740 Railway Labor Act  
☐ 790 Other Labor Litigation  
☐ 791 Empl. Ret. Inc.  
Security Act

## BANKRUPTCY

- ☐ 422 Appeal 28 USC 158  
☐ 423 Withdrawal  
28 USC 157

## PROPERTY RIGHTS

- ☐ 820 Copyrights  
☐ 830 Patent  
☐ 840 Trademark

## SOCIAL SECURITY

- ☐ 861 HIA (1395ff)  
☐ 862 Black Lung (923)  
☐ 863 DIWC/DIWW (405(g))  
☐ 864 SSID Title XVI  
☐ 865 RSI (405(g))

## FEDERAL TAX SUITS

- ☐ 870 Taxes (U.S. Plaintiff  
or Defendant)  
☐ 871 IRS—Third Party  
26 USC 7609

## OTHER STATUTES

- ☐ 400 State Reapportionment  
☐ 410 Antitrust  
☐ 430 Banks and Banking  
☐ 450 Commerce  
☐ 460 Deportation  
☐ 470 Racketeer Influenced and  
Corrupt Organizations  
☐ 480 Consumer Credit  
☐ 490 Cable/Sat TV  
☐ 810 Selective Service  
☐ 850 Securities/Commodities/  
Exchange  
☐ 875 Customer Challenge  
12 USC 3410  
☒ 890 Other Statutory Actions  
☐ 891 Agricultural Acts  
☐ 892 Economic Stabilization Act  
☐ 893 Environmental Matters  
☐ 894 Energy Allocation Act  
☐ 895 Freedom of Information  
Act  
☐ 900 Appeal of Fee Determination  
Under Equal Access  
to Justice  
☐ 950 Constitutionality of  
State Statutes

## V. ORIGIN

(Place an "X" in One Box Only)

☒ 1 Original Proceeding☐ 2 Removed from  
State Court☐ 3 Remanded from  
Appellate Court☐ 4 Reinstated or  
Reopened☐ 5 Transferred from  
another district  
(specify)☐ 6 Multidistrict  
Litigation☐ 7 Appeal to District  
Judge from  
Magistrate  
Judgment

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 USC 1331

Brief description of cause:

FEDERAL QUESTION

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

RANDOM/MJ BLOOM

DOCKET NUMBER

NONE

DATE

08/06/2007

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

NGG

MAG. JUDGE

LR

07CV 3280

**ARBITRATION CERTIFICATION**

I, \_\_\_\_\_, counsel for \_\_\_\_\_ do hereby  
certify pursuant to the Local Arbitration Rule 83.10 that to the best of my knowledge and belief the damages  
recoverable in the above captioned civil action exceed the sum of \$150,000 exclusive of interest and costs.  
\_\_\_\_\_ Relief other than monetary damages is sought.

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**DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1**

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks:

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**Please refer to NY-E Division of Business Rule 50.1(d)(2)**

1.) Is the civil action being filed in the Eastern District of New York removed from a New York State court located  
in Nassau or Suffolk County: NO

2.) If you answered "no" above:

a.) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau  
or Suffolk County? NO

b.) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in the  
Eastern District? YES

If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than  
one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the  
claimants, if there is more than one) reside in Nassau or Suffolk County? NO

(Note: A corporation shall be considered a resident of the County in which it has the most significant contacts).

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**I am currently admitted in the Eastern District of New York and currently a member in good standing of the  
bar of this court.**

Yes \_\_\_\_\_ No \_\_\_\_\_

**Are you currently the subject of any disciplinary action(s) in this or any other state or federal court?**

Yes \_\_\_\_\_ (If yes, please explain) No \_\_\_\_\_

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Please provide your E-MAIL Address and bar code below. Your bar code consists of the initials of your first and last  
name and the last four digits of your social security number or any other four digit number registered by the attorney  
with the Clerk of Court.

(This information must be provided pursuant to local rule 11.1(b) of the civil rules).

**ATTORNEY BAR CODE:** \_\_\_\_\_

**E-MAIL Address:** \_\_\_\_\_

I consent to the use of electronic filing procedures adopted by the Court in Administrative Order No. 97-12, "In re  
Electronic Filing Procedures(EFP)", and consent to the electronic service of all papers.

**Signature:** \_\_\_\_\_